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REMINISCENCES OF SOME OF THE DEAD OF THE BENCH AND BAR OF RICHMOND.

AN ADDRESS DELIVERED BEFORE THE RICHMOND BAR ASSOCIATION BY JUDGE
GEORGE L. CHRISTIAN OF THE RICHMOND BAR, DECEMBER 9TH, 1908.

Continued from February Number.

MAJOR ROBERT STILES was another prominent member of this bar. He was an able man, a good lawyer and a devoted Christian. He was a very impulsive man but his impulses were always in behalf of the right, as he saw it. He was a student at Yale when the war broke out, and came South and enlisted in the first Company of Richmond Howitzers. He served as a private in that command until the first part of 1863, when he was made Adjutant of Cabell's Battalion of Artillery, and later on was made a major of Artillery and assigned to the command of the stationary batteries at Chaffin's Bluff.

He has written a most interesting story of his services in the army, and of the character of the Confederate soldiers generally, and especially of the Howitzers. In this book, entitled "Four Years under Marse Robert," a copy of which he sent me, is this inscription in his own handwriting:—

"To George L. Christian, in memory of comradeship in the old days, and friendship ever since, and also in grateful recognition of what he has done for this book.

Robert Stiles,
August 31st, 1903."

No finer or better portrayal of Major Stiles' character can be written than that written by his old Howitzer comrade, Leigh Robinson Esq., of Washington, at the time of his death. Mr. Robinson says:

"If Stiles had a fault which was a blemish upon manhood, I did not discover it in my association with him. Im-

passioned, courageous, pure, his life was one of intellectual and moral rectitude. He was not only far above doing a dishonest or immoral act, he was above the suspicion of it. His heart was warm, impulsive, genuine; his enthusiasm as sincere as it was boundless; and his nature, strong, deep, ardent, thrilling with a strong man's emotions and convictions, was so completely proof against temptation as to seem unconscious of it. In war and in peace, his life was one long enthusiasm for duty. Fearless of every danger, patient of every toil, of every trial, the life becoming each day more rare, the life of incorruptible conviction. Disease, and infirmities of disease, might break, but could not bend him. With all this he was as humbly and contritely pious as he was intrepid and heroic."

Soon after Major Stiles came to the bar, he formed a co-partnership with Richard H. Christian, under the firm name of Stiles & Christian, and this continued until the death of Mr. Christian. Later on he formed a co-partnership with Judge A. L. Holladay, under the firm name of Stiles & Holladay, which continued until a short time before his death.

JAMES ALFRED JONES was another prominent member of this bar. When I first knew him, he was a partner of Mr. Conway Robinson, under the firm name of Robinson and Jones. Mr. Jones was a well-grounded, painstaking, accurate lawyer, and one of the wisest counsellors at this bar. He was also an A. M. of the University of Virginia, and a man of decided culture. He enjoyed an exceptionally large clientele, and when he retired from practice in the Court of Appeals it was stated that he had at the time perhaps a greater number of cases on the docket of that court than any other counsel practicing in it. At this time, he did me the honor to offer to take me in as a partner, but as I had already engaged to go in with my kinsman, Frank W. Christian, I had reluctantly to decline Mr. Jones's very flattering offer.

Mr. Jones was an impressive speaker, and always presented his cases with force and clearness. He had the reputation of winning more of his cases before the Court of Appeals than any counsel practicing in that court. He had the habit of swearing

sometimes, and when he did swear, it was done with apparent unction.

Major Legh Page used to tell this anecdote of him: He said he and Mr. Jones were looking at a chicken fight in his backyard on one occasion, and Mr. Jones having picked out his favorite, a game cock, and seen how he was bearing himself in the fight, said, "Page, look at that bird. By-God, sir, ain't he a warrior bird? The great Creator has implanted in his bosom a love of strife and combat, and I'll be damned, Page, if I'll ever be the man to do ought to curtail or abridge his natural desires."

Whilst not what would be ordinarily termed a jury lawyer, yet his manner of conducting and presenting his cases was so wise and striking, that he was very effective and formidable as an opponent; and I think it may be safely affirmed that no lawyer in the state had a better reputation in the higher walks of the profession than he had at the time of his retirement from the bar.

Having referred to the fact that he sometimes swore, I think it proper to state that before he died, he became an humble Christian and was confirmed as a member of the Episcopal Church.

JUDGE HUNTER H. MARSHALL was another prominent and distinguished member of this bar. He came here from Charlotte County some time in the early seventies, and with Judge Wood Bouldin formed a co-partnership, under the firm name of Bouldin & Marshall. Judge Marshall had been on the circuit bench and succeeded the famous Judge William Leigh of the Halifax Circuit. He is said to have made Judge Leigh his model, and became almost as eminent as his predecessor. He was a very able lawyer, and having been thoroughly grounded in the principles of his profession when young, and kept up with the decisions of the Court of Appeals when on the bench, he was one of the readiest advocates, as well as one of the most dangerous antagonists at this bar. He was for several years the counsel for the then Richmond & Danville (now the Southern) Railway. At times he would appear cynical, and sometimes made cutting replies to those who accosted him; yet he was really a most amiable and entertaining gentleman. Those of us who had the privilege of hearing his delightful reminiscences of the "Country Lawyer," delivered

before this association, will appreciate his ability to entertain and instruct. One or two instances of his cutting replies must suffice: A friend somewhat addicted to telling long stories, and of sometimes repeating them, wished to entertain the Judge with one of his anecdotes. He began by asking the Judge if he had ever heard his story about So and So? "Yes, by-God," said the Judge, "ten thousand times." One day he was dining with the late Judge Minor of the Law & Equity Court, and after dinner, Minor handed him a cigar which he had just gotten from a nearby drug store. The Judge lighted it and was puffing away, when Minor inquired how he liked that cigar, to which the Judge made no reply. After a little while, Minor repeated the question, and so pointedly that an answer seemed imperative. Marshall then said: "Minor, you asked me that question just now, and I did not answer it, and did not want to answer it; but as you insist on an answer, I will tell you, it is the damndest, meanest cigar that I ever tried to smoke in my life."

WOOD BOULDIN was another distinguished member of this bar. He had lived in Richmond before I came here and practiced law in co-partnership with Mr. Robert Stanard, under the firm name of Stanard & Bouldin. He returned to Charlotte, his native county, however, about 1855 or 1856, and represented that county in the Convention of 1861. He returned to Richmond sometime in the early seventies, and formed a co-partnership with Judge Hunter H. Marshall, under the firm name of Bouldin & Marshall, which continued until Judge Bouldin went on the bench of the Court of Appeals. He was an able and excellent lawyer, as his opinions on the Court of Appeals fully attest.

He was one of the purest and highest men that I ever knew. His sense of justice and of honor was of the keenest, as the concluding sentences of his opinion in *Antoni v. Wright*, 22 Gratt. 359, will illustrate: He thought the honor of the state was involved in that decision, and after upholding the obligation of the contract, he concluded his opinion in these words:

"In the language of a vigorous writer, 'Now is the seed time of faith and honor. The least fracture now will be like a name engraved with the point of a pin on the tender rind

of a young beech. The wound will enlarge with the tree, and posterity will read it in full-grown characters.' This Court is unwilling to inflict that wound."

He fell through the Capitol at the time of the disaster on April 27th, 1870, and I do not think he ever entirely recovered from the shock and wound he then received.

GUSTAVUS A. MYERS was another prominent member of this bar. As his name indicates, his ancestors were Jews, and I think, but I am not sure, he continued in the "faith of his fathers." Like many another of that noble people, he was a most accomplished lawyer and gentleman, and would have adorned any position he would consent to occupy. He was a man of considerable affluence for that day, and, consequently, did but little practice. What he did, however, was done with a pains-taking accuracy which stamped him as one of the masters of his calling. He had a son,

WILLIAM B. MYERS who came to the bar shortly after the war, but owing to his affluent circumstances and retiring disposition, he did very little practice. He was quite an artist, and was accomplished in many other ways; and both father and son were among the most genial and companionable men that I ever had the privilege of knowing.

A. JUDSON CRANE was another distinguished member of this bar, and was regarded as one of the strongest men of his day. He was a good lawyer and forcible speaker. He was a Whig before the war and quite prominent as a politician and stump-speaker. He was a great admirer of Mr. Clay and Mr. Botts. He and Colonel Tom August were opposing candidates for the legislature on one occasion when Crane referred to the fact that when he came to Richmond to live, he had but one suit of clothes and scarcely a penny in his pocket. When August came to reply, he said: "When I came here, I did not even have a shirt to my back, or even a pocket in which to put a penny." (He was born in Richmond.)

He was a partner for some time with Major James H. Dooley, under the firm name of Crane & Dooley, and the firm was regarded as a strong one, and had a good practice.

MAJOR LEGH R. PAGE was another prominent member of this bar. Although a native of Virginia, he had lived in Mississippi before the war, and came back here during that eventful conflict. He was at one time on the staff of General Ewell, I think, and was afterwards detailed as Judge-Advocate in the Adjutant-General's office.

He was an able and accomplished lawyer, and would have graced any bench or bar.

He was for several years a partner of Mr. William A. Maury, now of Washington, D. C., and at one time Assistant Attorney-General. The firm of Page & Maury was regarded as one of the best at the bar, and both the firm, and Major Page after its dissolution, did a large practice. Major Page was counsel for General Lee's family in the suit to recover the "Arlington" Estate from the Federal Government, which had confiscated it during the war, and he and his associates succeeded in obtaining for the Lee family, I think \$150,000 for this property. He was also counsel in the noted case of Thomas's *Admr. v. Lewis*, etc., involving gift *causa mortis* of over \$200,000 by William A. Thomas to his natural daughter, Bettie Lewis, which gift was sustained, much to the chagrin and disappointment of Major Page and his associates, mainly on the testimony of one witness, a colored companion of Bettie Lewis. The testimony of this one witness was, however, corroborated at many material points.

Major Page was a most hospitable gentleman and genial companion, and to those he liked, a firm friend. He had heard, and greatly admired, the famous Sergeant S. Prentiss, and frequently quoted from his speeches. He regarded him as the greatest orator he had ever heard. He died suddenly in 1893 whilst attending the World's Fair.

PATRICK HENRY AYLETT, a grandson of Patrick Henry, by his first wife, was also a prominent and distinguished member of this bar. He is said to have been the most talented of all the descendants of the "forest-born Demosthenes." He was an accomplished lawyer and gentleman, and one of the most vigorous writers of his day. He was associate editor of the "Richmond Examiner" both before and during the war, and vied with its famous editor, John M. Daniel, in writing the editorials for that paper which exerted such a powerful influence in its day.

Mr. Aylett's wit, sarcasm and invective were at times convulsing and withering. I remember hearing him refer to a "carpet-bagger" named Bond, who came here and was made the Register in Bankruptcy under the infamous Underwood, who, although very lean and lank when he came, grew fat both in pocket and in flesh whilst in that office. Referring to Bond, he said, that "miserable creature came here as lean and lank as a weasel, and has grown fat feeding on the super-phosphate of bankrupt bones."

He was a fine speaker, and, as I have said, a genial and accomplished gentleman in every way. I think, but I am not sure, he was the District Attorney of the United States under the Buchanan administration, and I think he continued to hold that office under the Confederate Government during the war.

He was killed in the Capitol disaster on April 27th, 1870.

WILLIAM WIRT HENRY was another distinguished member of this bar. He was a grandson of Patrick Henry by his last marriage, and came here from his native county of Charlotte during the seventies. He was an accomplished lawyer and a lovely and cultured Christian gentleman. He was a graceful writer and pleasant speaker, and has written perhaps the best life of his famous grandfather extant.

He came to Richmond with a good reputation as a lawyer and sustained it at this bar; but the best eulogy that can be paid to the memory of Mr. Henry is to say that he was a good man and a good Christian.

He was faithful in all the relations of life, and especially so in the discharge of his duties as a Christian. He was a ruling Elder in the Second Presbyterian Church of this city and discharged the duties of that office with singular fidelity and grace. Not long prior to his death, he formed a co-partnership with Mr. Edmund Randolph Williams under the firm name of Henry & Williams, which was dissolved by the death of Mr. Henry.

He enjoyed a good practice, both in the Court of Appeals and in the lower courts, and conducted his cases with ability and in a way which marked him as a man of excellent sense and an accurate, forceful lawyer.

He represented this city in the State Senate for several years, and reflected credit in that and in every other capacity in which he was called upon to act.

JAMES PLEASANTS was another prominent member of this bar. He was a son of the famous John Hampden Pleasants, the great Whig editor of his day, who was killed in a duel fought with Thomas Richie, another great editor and representative Democrat. He was the grandson of James Pleasants, at one time Governor of Virginia.

Mr. Pleasants was a Master of Arts of the University of Virginia, and an accomplished man and lawyer. He was exceedingly modest and retiring in his disposition, and, for that reason only, did not make the impression at the bar which his talents and attainments would otherwise have caused him to make. He did, however, occupy a very high position with his brethren and with those who knew him best; and his clients were so devoted to him that he rarely, if ever, lost one who had engaged his services.

He was an earnest and devoted Christian, and one of the gentlest, sweetest and most lovable men that I ever knew. He practiced his profession on the very highest plane; and said not long before his death, "he could look his Maker in the face and say truly that he did not, and never had owned, a *dirty* shilling." And those who knew Mr. Pleasants as I did, know that this statement was literally true.

COLONEL THOMAS J. EVANS was another prominent member of this bar, although he was more noted for his work as a commissioner in chancery than for his performances at the bar in any other line. He was one of the most accomplished commissioners we have ever had. At one time he was a great temperance lecturer and teetotaler. Tom August, seeing him and William P. Watson, another member of the bar who was quite a free drinker, walking together one day, said: "It does my heart good, my brethren, to see you together, because it reminds me so much of whisky and water."

Colonel Evans was a Knight Templar, and was fond of the Masons and organizations of different kinds, and especially of

the convivial meetings sometimes incident to these organizations. He shone with real brilliancy in his after-dinner speeches, which were often interspersed with couplets of poetry and exquisite wit and humor. After his death, his family published a little volume of his poems, some of which have real merit. He was a most hospitable and genial companion, and was greatly missed and mourned when he died.

NATHANIEL POPE HOWARD was another distinguished member of this bar. He began his career in the clerk's office of the Hustings Court with his father, Charles Howard, and succeeded his father as clerk of that court for a time after his death. He was a great student, both of literature and of the law, and one of the most accomplished Greek scholars of his day. His extreme modesty and almost self-effacement prevented him from occupying the position at the bar to which he was justly entitled, but he was highly appreciated by his brethren, and whatever he did in the line of his profession, or in any other line, was done in the most accurate, exquisite style. He was killed in the Capitol disaster on April 27th, 1870; his body having fallen on the top of your speaker and sheltered him from the stroke of the beam which killed Mr. Howard. He was at the time of his death a partner of Powhatan Roberts under the firm name of Howard & Roberts. Mr. Roberts also commenced his career in the Clerk's office of the Chancery Court of this district, and was both an accomplished clerk and lawyer. He, too, was killed in the Capitol disaster.

ROBERT HOWARD was also a prominent member of this bar. He was a younger brother of Nathaniel P. Howard and, like him, commenced his career in the Hustings Court Clerk's office with his father, Charles Howard. He succeeded his brother, N. P. Howard, as Clerk of the Hustings Court, and held that office for many years. After he was turned out of that office first by the military when Virginia was District No. 1, he came to the bar and formed a co-partnership with George D. Wise, under the firm name of Howard & Wise. Mr. Howard had been all his life a student, and was, therefore, a good scholar and a good lawyer, and what was better still, he was a good man and a good Christian.

EDWARD YOUNG CANNON was another prominent member of this bar, and at one time enjoyed a very large and lucrative practice, so large in fact that he accumulated quite a considerable fortune therefrom. His work in carrying on his practice must have been simply enormous, but he had great capacity for work, and, therefore, was very successful in the results of that work. In addition to his labors as a lawyer, he was a great reader and a man of decided culture. He was one of the readiest and most fluent speakers that I ever heard, and his quotations from the classics and other writers were apt and frequently telling in their effect. He was not what would be termed in this day a "mixer," and therefore did not make a great many friends, but those he made (and I am proud to be numbered among them) were sincerely attached to him.

HENRY GIBBONS CANNON, a brother of Edward Young, was another prominent member of this bar. He was for many years a partner with Major Alfred R. Courtney (the only survivor of all the Bench and Bar of this City now living here, who were here when I came here as a boy, Judge B. R. Wellford, Jr., the only other, having removed from this City), under the firm name of Cannon & Courtney, and this firm had a large practice. Mr. Cannon had studied his profession thoroughly, and was an accurate, painstaking lawyer. After the dissolution of the firm of Cannon & Courtney, Mr. Cannon formed a co-partnership with Mr. Allen G. Collins, under the firm name of Cannon & Collins. He was a laborious practitioner, had a large clientele, and, like his brother Edward, amassed a good estate from the successful practice of his profession.

ANTHONY M. KIELY was another prominent member of this bar. He was a native of Petersburg, and came here shortly after the war. He was a much more accomplished writer and scholar than he was lawyer. He had edited a newspaper in Petersburg, and having been taken prisoner during the war, wrote a book called "*In Vinculis*," which gave a thrilling account of his experiences as a prisoner, and is very well worth reading. He soon became popular here, and was repeatedly elected Mayor of this city. When he was at last defeated by William C. Carrington

for that office, he was made City Attorney, and held that office until Mr. Cleveland's first administration, when he was appointed by Mr. Cleveland first as Minister to Italy, but having said something at the time of the death of Garibaldi which offended the King, he was deemed *persona non grata* at that court, and his appointment recalled. He was almost immediately appointed by Mr. Cleveland Minister to Austria, but was rejected at that court for a similar reason. He was then appointed by Mr. Cleveland one of the judges of the International Court of Arbitration which sat at Cairo in Egypt, and was in that position at the time of his death, about three years ago, in Paris, which was occasioned by his being run over by a street car. He was a ready, graceful and accomplished speaker, and admirably adapted to represent the city on state occasions. He was also one of the best afterdinner speakers that I ever heard, and whilst his hearers generally thought these efforts were *impromptu*, he candidly admitted that such was not the case, but that he prepared at his leisure speeches to suit almost any and every occasion, and hence had them already at his hand.

JAMES NEESON was another prominent member of this bar. He came here from Clarksburg, West Virginia, I think, and was a profound and able lawyer. He argued questions of law with singular clearness and ability, and it was said could make as much out of nothing as any one ever heard at this bar. He was very exclusive in his tastes and deportment, and I do not think was popular with his brethren. He was associated with Judge Halyburton as one of the first professors of law at Richmond College, and I think was well suited for that position.

OTHO G. KEAN was another quite prominent member of this bar; and whilst he died young, he lived long enough to make a fine impression both on the community and at the bar. He was a man of exceptional ability and fine acquirements in his profession, and was as noble a fellow and as delightful a companion as I ever knew.

Very soon after coming to the bar, he formed a co-partnership with James M. M. Davis, under the firm name of Kean & Davis; later on when Major Charles S. Stringfellow and Capt. Richard

G. Pegram came here from Petersburg; he went in with them under the firm name of Pegram, Stringfellow & Kean; and still later and not long before his death, he withdrew from that firm and formed a co-partnership with Mr. James Alfred Jones and Mr. P. C. Nicholas, under the firm name of Jones, Nicholas & Kean.

JAMES M. M. DAVIS was also a prominent member of this bar, considering the short period he lived after coming to the bar. He was a grandson of Prof. Davis who was killed by a student whilst one of the law professors at the University of Virginia, and was reared in the atmosphere of the University, from which institution he received the degrees of A. M. and B. L. He was, therefore, a well-grounded lawyer and an accomplished gentleman. He soon took a high position in the profession, and shortly after coming here, formed a co-partnership with Otho G. Kean, under the firm name of Kean & Davis, which enjoyed a good practice. He was a very companionable and lovable Christian gentleman.

FRANK HOWE MCGUIRE was another prominent member of this bar, and although he died when he had only been at the bar about ten years, he had gained a position which his contemporaries might well envy, and of which his friends were justly proud. His success was not due to any special genius, nor to any adventitious circumstances or surroundings whatsoever; but, on the contrary, it was due solely to the fact that he was a man of the most exalted character and worth, and of indefatigable labor and perseverance. When he first came here, he was almost an entire stranger, and his means were very limited; but by a will and pluck which was never surpassed, he surmounted every difficulty and was fast attaining the position of one of the leaders of the bar when his, seemingly, untimely end came.

He was one of the most potent factors in the formation both of this and of the State Bar Association, and always took a deep interest in the welfare of both.

For several years, he was in co-partnership with Col. Tazewell Ellett, under the firm name of McGuire & Ellett, and this firm had a large practice.

He was a sincere friend, an humble Christian, without guile;

and few men have died in our midst who were more missed and mourned than he was. Whilst, as I have said, he was not a man of any special genius, yet he was a man of excellent sense, and his preparation of his cases was so thoroughly and conscientiously done, and his force of character was such, that he generally succeeded in whatever he undertook.

JUDGE WALLER R. STAPLES was another distinguished member of this bar. He came here from Montgomery County, Virginia, and only settled here after his retirement from the bench of the Supreme Court of Appeals of Virginia.

Judge Staples was a vigorous and accomplished lawyer, and his opinions on the Court of Appeals rank with the best that have emanated from that bench.

He was a member of the Confederate Congress, and was an able debater both on the floor of that body and on the hustings.

He was popular in the section of the state from which he came, and was prominently spoken of both for the office of Governor and that of United States Senator.

Soon after coming here, he formed a co-partnership with Beverly B. Munford, under the firm name of Staples & Munford, and they soon had, as they deserved, a large practice.

AUBIN L. BOULWARE was also a prominent member of this bar. He was a Master of Arts and B. L. of the University of Virginia.

Soon after coming here, he was admitted as a partner in the firm of Johnston, Williams & Boulware, then composed of Andrew Johnston, Charles U. Williams and himself. He was an excellent business man, and this fact, coupled with his high character, gave him such a standing in the community, that on the death of Mr. Isaac Davenport, Jr., the President of the First National Bank of this city, he was elected to that position. By his sagacity, integrity and strict attention to business, he soon amassed quite a fortune. On his election to the presidency of the First National Bank, he practically retired from the bar.

JOHN BROOKE MORDECAI was another distinguished member of this bar. He was a nephew of Colonel John B. Young, and was associated with his uncle in the practice. He served in the

Howitzers with your speaker, and was one of the most ardent and devoted Confederates that I ever knew. I have known him to sit up with me when I was Sergeant of the Guard four hours in the middle of the night, and talk about the war and the movements of armies all the time. He would insult any man who suggested the idea of the Confederacy not being a success. The result of the war was the greatest disappointment to him that life could have afforded; indeed, he said when the war ended as it did,

"The dream of my life is o'er."

He was unfortunately killed in a duel with Capt. Page McCarty. All of the parties to this duel are now dead, with one *single* honorable exception.

"Like shuttles through the loom so swiftly
Guide my feathered hours."

These lines are suggested by the fact that during the preparation of this paper, and within one short week, two of the most honored and beloved members of this bar have died,—Joseph Bryan and Judge William Josiah Leake. The throbbings of our hearts caused by this double sorrow have scarcely yet ceased, and the memorials adopted at your Bar meetings commemorative of their lives and work are too fresh in your memories to warrant more than the briefest outlines of their lives in this paper.

JOSEPH BRYAN, whilst one of the best men and best citizens we ever had, can scarcely be ranked among those who were eminent at this bar. The reasons for this are not to be found in the fact that he did not possess the instincts, the talent and the attainments which would have made him eminent at the bar; for, indeed, he did possess all of these to a high degree; but they are to be found in the fact that he was so public-spirited, so enterprising, so fertile and so useful in so many ways, and so anxious to do more for his country and his people than the somewhat narrow avenues of the law afforded opportunities for, that he could not be content with "wooing the jealous mistress of the law," and, therefore, did not seek special preferment at her hands.

Mr. Bryan was the finest combination of the highest type of the good and useful citizen and the humble, consistent and work-

ing Christian that we have ever known. He had the means, the ability and the willingness to take hold of any and every movement which looked to the improvement and development of his city and section, and especially those designed for the moral and spiritual uplift of his people. He was not content to be only a follower, but he was almost always a leader in all enterprises looking to these great ends. I know of no man who has died since my residence in Richmond who will be more missed and mourned by all classes than he.

He was too young at the beginning of the war to enter the Confederate army, and was sent to the University of Virginia to complete his education. As soon as he was old enough, he joined the command of Colonel John S. Mosby, and was always in the front rank of danger whilst in that command.

He was, as I have said, a good man, a good citizen and, best of all, an humble Christian gentleman, and, like his Master, literally "went about doing good."

JUDGE WILLIAM JOSIAH LEAKE was a prominent member of this bar. He commenced reading law in the office of Alexander Hamilton Sands about the year 1866, and came to the bar in 1868 or 1869. A part of the time he was in the office of Messrs. Steger & Sands, who were partners during that time. On the retirement of Mr. Steger, Mr. Leake became associated with Mr. Sands, under the firm name of Sands & Leake, and a little later, when Mr. Hill Carter came to the bar, the latter was admitted as a partner, the firm then becoming Sands, Leake & Carter, and continued until the death of Mr. Sands. On the death of Mr. Sands, Leake and Carter became associated as partners, and, with the exception of the short time when Judge Leake was on the bench, this firm continued until the death of Judge Leake on November the 23rd, 1908.

On the death of Judge Edward H. Fitzhugh in 1890, Judge Leake was appointed by Governor McKinney, on the unanimous recommendation of the bar, Judge Fitzhugh's successor as judge of the Chancery Court for the City of Richmond. He was an excellent chancellor, a man of fine sense and eminent fairness, and made one of the best chancellors we have ever had in Virginia. When the remnant of the unexpired term for which he

had been appointed ended, he could have been his own successor without opposition, but he declined to be a candidate before the legislature, and was succeeded by Judge James Christian Lamb. Judge Leake then returned to the bar and resumed his association with Mr. Hill Carter, which, as before stated, continued until his death. This firm, like that of its predecessor, Sands, Leake & Carter, enjoyed, as they deserved, a fine practice, and both were among the best and most favorably known in the State. Judge Leake was regarded as a fine business man, and his long and varied experience in the administration of estates and other trusts made him a most valuable counsellor and caused him to be elected as a director and counsel in some of the largest corporations in the city.

His reputation as a lawyer in the state was so well recognized, that he was at one time made the president of the State Bar Association.

He was a devoted patriot and Virginian, and served during the war as a brave private in the Confederate army, and of which fact he was justly proud.

He was an humble Christian, striving at all times to do only what was right and fearing nothing except that of doing wrong. It might be well said of him, as was said of another, that

“He feared man less because he feared God more.”

He had been for many years, and was at the time of his death, the counsel for the Richmond, Fredericksburg and Potomac Railroad Company, and for a year or two he served as the temporary president of that company.

There are many other names of those who were prominent at this bar that crowd upon my memory; but I have long ago exhausted your patience and the time you expected me to occupy, and I can, therefore, only name some of these without any extended remarks in reference to them, although many of them are, perhaps, as much, or more worthy of special notice than many of those I have referred to. Some of these are—

JUDGE JOHN B. CLOPTON, at one time Judge of the Circuit Court of Henrico, and one of the ablest judges of his day.

JUDGE JOHN M. GREGORY, his successor, at one time Acting-

Governor of the state; and whilst eccentric to a degree, was a genius in many ways, and one of the kindest, best men and neighbors that I ever knew.

JOSEPH MAYO, for many years, the Mayor of this City, and author of "Mayo's Guide."

N: A. STURDEVANT and LITTLETON WALLER TAZEWELL, both attorneys for the commonwealth of this city at different times, and men of very decided ability

JAMES K. LEE, who was killed at the First Battle of Manassas.

C. C. McRae; Roscoe B. Heath; Benjamin H. Nash; Richard G. Pegram; Benjamin H. Berry, S , Luther R. Spilman; James G. Blackwell; Thomas W. McMahon; Thomas P. Turner; John M. Patton, Jr.; R. Milton Cary; William J. Pegram; Thomas G. Jackson; Joseph Jackson; Sidney S. Baxter; Sherwin McRae; A. Moise, Jr.; John Johns, Jr.; William C. Mayo; Thomas C. Howard; Thomas T. Cropper; James G. Dunbar; William F. G. Garnett; William Hancock; Griffin Peachy; Turner Atkinson; William Ambers; Thomas R. Bowden; Samuel T. Bailey; Herbert A. Claiborne; John Hampden Chamberlayne; James A. Clarke; Henry Coalter Cabell; John Nicholas Davis; George M. Drewry; John Dunlop; B. W. Finney; C. G. Griswold; Walter Harrison; Alexander R. Holladay; Thomas S. Haymond; James Machir Hoge; Henry Hudnall; John D. Imboden; Lewis A. Phelps; Charles A. Rose; Henry Richardson; George W. Richardson; J. Ambler Smith; A. Austin Smith; J. C. Spaulding; Chastain White; Joseph J. White; Robert D. Ward; George Dabney Wooten; John A. Lynham; W. W. Cosby; John K. Connelly; C. Umlauf; Robert G. Scott, Jr.; Henry H. Wells; George W. Armistead; H. S. Morton; John S. Morson; Samuel M. Page; James R. Crenshaw; Louis Randolph; Col. Richard L. Maury; M. F. Maury, Jr.; and doubtless there are others whose names have escaped me, some of whom were more or less prominent at this bar, but all of whom have gone to render their account at the bar of the Great Assize on high.

At the expense of taxing your patience a moment longer, I

deem it not inappropriate to state one or two facts, and to draw one or two lessons which are suggested by the names I have mentioned in your hearing. The first fact is, that of all the more than one hundred members of the bench and bar who were resident in Richmond when I came here, a little less than a half century ago, but one single one is now living here. Judge Wellford, an honored member both of the bench and bar, whilst still living, has removed his residence from Richmond. The second fact that I wish to impress on the minds of these younger men especially is, that among all these learned and distinguished men, many of them profound constitutional lawyers, and most of them well acquainted with the facts connected with the adoption of the constitution and the formation of the Government of this country, there was not one, so far as I know or believe who ever entertained the slightest doubt about the justice of the Confederate Cause and the propriety of the course pursued by Virginia in defence of that cause. Nay, more; they were, all of them, proud of the splendid part borne by their mother state in that great conflict, and many of them sealed their devotion to that cause with their blood, and some of them with their lives.

A reflection that it occurs to me to make is this: There were no bar associations in Richmond, or indeed, in Virginia, until within the last quarter of a century, and no code of ethics prescribed for the bar, for the simple reason that there was no need for such things in those days. Nearly every man in the long catalogue I have mentioned was the embodiment of a code of ethics within himself, and there was no power or persuasion that could tempt him to deviate from the path of honor and rectitude as he saw it in the practice of his profession. I never heard of a trial or an investigation, or a disbarment of a lawyer, until long after the close of the war. There were no "ambulance chasers" in those days, and but the fewest number of suits brought for damages, and no competing or advertising for practice. Have these changes been brought about by the demoralization engendered by that cruel and relentless strife? I fear so, and I deplore it as one of the worst results wrought by that conflict. Don't understand me, my friends, as criticising or complaining of you. On the contrary, I think those of you who came to the bar shortly after the war, considering the crude and meager advantages left

at your command by the war, and considering, too, the dreadful contaminations and temptations of those times, deserve great credit for what you have done and the way you have accomplished what you have done. Those of you who came on the stage later have had far better opportunities than the class to which I have just referred. Have they done any better, and will they, man for man, measure up to the standard of most of those whose names I have called in your hearing? It does not become me to answer this question, and I leave the answer to you. But it does seem to me that, as I look over the roll of the bar of to-day, I do not find the same *esprit de corps* among its members that was once such a marked characteristic of the Richmond Bar, not only as I first knew it, but as I knew it for many years after the war; for I can truly say that some of the very best men, and some of the very best Christians that I have ever known in any walk of life, were to be found among the members of the Richmond Bar, some of whose names I have just called in your hearing.

Hæc olim meminisse juvabit.

"Happy the man and happy he alone,
He who can call to-day his own,
He who, secure within, can say,
To-morrow, do thy worst, for I have lived to-day.
Be fair or foul, or rain or shine,
The joys I have possessed, in spite of fate are mine.
Not heaven itself upon the past has power,
But what has been, has been, and I have had my hour."